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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Applicants: Haight et al.

Date: June 10, 2003

Group Art Unit: 1725

Serial No.: 09/933,461

Examiner: J. J. Johnson

Filed: August 20, 2001

Docket No.: YOR919980510US2

For: METHOD FOR MINIMIZING SAMPLE DAMAGE DURING THE ABLATION OF MATERIAL USING A FOCUSED ULTRASHORT PULSED LASER BEAM

Assistant Commissioner for Patents
Washington, D. C. 20231

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (3 Pages) is being facsimile transmitted under) to the U.S. Patent and Trademark Office to (703) 872-9311 on June 10, 2003.

Dr. Daniel P. Morris, Esq.
Reg. No. 32,053

REQUEST FOR CONTINUED EXAMINATION

REQUEST THAT THIS APPLICATION BE PLACED INTO

INTERFERENCE UNDER 37 CFR 1.604

WITH

REISSUE APPLICATION SERIAL NUMBER 09/775,069 FILED FEBRUARY 1, 2001

REMARKS

Applicants Request Continued Examination (RCE) of the above identified application. The claims of the present application have been allowed in the notice of allowance and issue fee due dated 03/10/2003. In lieu of payment of the issue fee due on June 10, 2003, this RCE is being submitted. The purpose of this request is to point out that the claims or the present application are substantially identical to the claims of copending broadening reissue application:

SERIAL NUMBER 09/775,069 FILED FEBRUARY 1, 2001

The present application claims priority to US patent 6333485 which was filed on December 11, 1998. Notwithstanding that this copending reissue application has an alleged claim of priority to US patent 5,656,186, filed on April 8, 1994, which is earlier than the priority date of the present application, this request is proper since there is no written description support, as required by 35 USC 112, first paragraph, for claims indicated as allowable in the reissue application. Thus the actual filing date of the reissue application should be no earlier than the date on which the claims indicated as allowable were first introduced into the reissue applications, which is not earlier than Feb. 1, 2001, the filing date of the reissue application. Therefore, the present application has an earlier filing date than the reissue applications and the parent patent, US 6333485, of the present application is a 35 USC 102(e) reference against the claims of the reissue applications. There is an indication of allow ability of claims 46-67 of the reissue application 09/775,069 as of the amendment of November 20, 2002 therein. In the table below claim 46 of reissue application 09/775,069, is compared to allowed claim 1 of the present application. Reissue claim 46 is substantially the same allowed claim 1 of the present application. In a subsequently filed paper greater detail on this comparison will be provided. A similar comparison can be provided for all of the independent claims (claims 46, 54, 55, 60, and 61) for which there is an indication of alllowability in reissue application 09/775,069. Since the claims 46, 54, 55, 60, and 61 in the form in which there is an indication of allowablility are substantially similar to the claims of the present application, an interference is proper.

In a subsequent paper, greater detail will be provided to justify why there is no written description support for the claims indicated allowable in the reissue application.

TABLE 1

Reissue Appl. No. 09/775,069 As of amendment dated Nov. 20, 2002, which is Indicated as allowable.	**Serial No.: 09/933,461 Present application**
46. A method for laser induced breakdown (LIB) of an organic material with a pulsed laser beam, the material being characterized by a log-log relationship of fluence breakdown threshold at which breakdown occurs versus laser pulse width, the relationship exhibiting a change in slope, at a characteristic pulse width, said method comprising the steps of:	1. A method for laser induced breakdown (LIB) of a non-biologic material with a pulsed laser beam, the material being characterized by a relationship of fluence threshold at which breakdown occurs versus laser pulse width that exhibits a rapid and distinct change in slope at a characteristic laser pulse width, said method comprising the steps of:
a. generating at least one laser pulse which has a pulse width equal to or less than said characteristic laser pulse width and a fluence greater than 5 J/cm^2; and	a. generating at least one laser pulse which has a pulse width equal to or less than said characteristic laser pulse width; and
b. providing a path by which said pulse is directed towards the surface of the material.	b. directing said pulse to a point above the surface of the material.

Please charge deposit account 09-0468 any fee necessary to enter this paper and any request or petition in this paper.

Respectfully submitted,

By:

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